

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1392-01
Bill No.: HB 670
Subject: Crimes and Punishment, Telecommunications, Motor Vehicles.
Type: Original
Date: March 28, 2001

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
None			
Total Estimated Net Effect on <u>All</u> State Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
None			
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
Local Government	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 3 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Revenue (DOR)** state this proposal prohibits the use of handheld wireless telephone or telecommunications devices while operating a motor vehicle. Upon conviction of such a violation, the Driver and Vehicle Services Bureau will assess two points to the individual's driving record. The DOR assumes this will not fiscally impact their agency.

Officials from the **Department of Transportation** assume this proposal will not fiscally impact their agency.

Officials from the **Office of the State Public Defender** assumes that existing staff could provide representation for those 15-25 cases arising where indigent persons were charged with illegal use of a wireless phone. However, passage of more than one similar bill would require the State Public Defender System to request increased appropriations to cover cumulative cost of representing the indigent accused in the additional cases.

Officials from the **Office of Prosecution Services** assume that costs associated with implementation of this proposal can be absorbed within their agency.

In response to similar legislation from last year, officials from the **Department of Public Safety - Missouri Highway Patrol** assumed this proposal would not fiscally impact their agency.

In response to similar legislation from last year, officials from the **Office of the State Courts Administrator** assumed that after a period of adjustment, there would be substantial compliance with the proposal and therefore did not anticipate an impact on the budget of the judiciary.

Officials from the **Department of Corrections (DOC)** did not respond to our request for fiscal impact, however, **Oversight** assumes the DOC could absorb additional costs from the probation of offenders.

<u>FISCAL IMPACT - State Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Local Government

FY 2002
(10 Mo.)

FY 2003

FY 2004

\$0

\$0

\$0

FISCAL IMPACT - Small Business

Small business may be impacted by this proposal in that it may reduce the number of sales of cellular or digital mobile telephones or the use by other companies of these types of communication devices.

DESCRIPTION

This proposal prohibits the use of any hand-held wireless telephone or telecommunication device when operating a motor vehicle, except for certain citizens band radio devices. Using a phone when contacting emergency personnel and use by emergency personnel in the performance of their duties are excepted. Any person who violates this provision is guilty of a class B misdemeanor or, if an accident occurs, a class A misdemeanor.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Transportation
Office of the State Courts Administrator
Office of the State Public Defender
Office of Prosecution Services
Department of Revenue
Department of Public Safety
Missouri Highway Patrol

NOT RESPONDING: DEPARTMENT OF CORRECTIONS



Jeanne Jarrett, CPA
Director

March 28, 2001